IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

W.P(C).No. 37791 of 2007(Y)

PETITIONER:
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1. ANNAMMA POTHEN, W/O.LATE POTHEN THOMA, MUTHUKKATTIL HOUSE, KARINKUNNAM P.O., THODUPUZHA, IDUKKI DISTRICT.

2. JOSEPH POTHEN, S/O.LATE POTHEN THOMA, RESIDING AT MUTHUKKATTIL HOUSE, KARINKUNNAM P.O., THODUPUZHA, IDUKKI DISTRICT.

3. TOMY POTHEN, S/O.LATE POTHEN THOMA, MUTHUKATTIL HOUSE, IHRD, MUTTOM.

BY ADV. SRI.RAJESH NAIR

RESPONDENTS:
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1. **TAHSILDAR, TALUK OFFICE, THODUPUZHA, IDUKKI DISTRICT.**

2. **THE WELFARE FUND INSPECTOR, KERALA TODDY WORKERS' WELFARE FUND BOARD, THODUPUZHA P.O., IDUKKI DISTRICT.**

3. **THODUPUZHA PRIMARY CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD., NO.4388, THODUPUZHA, REPRESENTED BY IS SECRETARY.**

BY GOVT. PLEADER, SMT. REMANI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 37791 OF 2007 Y

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Dated this the 19th December, 2007

J U D G M E N T

This writ petition has been filed challenging Exts. P3, P4 and P5 revenue recovery proceedings initiated against the petitioners. Though several contentions on the merits have been raised in the writ petition, when the case was taken up, the prayer made was confined to an instalment facility to discharge the liability in terms of the revenue recovery proceedings as mentioned above.

2. I heard the Standing Counsel for the 2nd respondent also.

3. Having regard to the fact that the liability now stands undisputed and that the petitioners want only an instalment facility to discharge the liability due to the 2nd respondent for which revenue recovery proceedings have been initiated I dispose of this writ petition with the following directions:

1. That the petitioners will pay the amount that is sought to be recovered by Exts. P3, P4 and P5 in 12 equal monthly instalments.

2. The first instalment will be payable in the 1st week of January, 2008 and the subsequent instalments in the first week of every succeeding month. Subject to payment as above, further proceedings pursuant to Exts. P3, P4 and P5 will stand deferred. It is made clear that if the petitioners commit default in any one of the instalments, the respondents will be free to continue the revenue recovery action.

ANTONY DOMINIC
JUDGE

jan/-